

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

**JAMURL A. SCOTT,
CDCR# AN6250**

Plaintiff,

v.

PADILLA,

Defendant.

Case No. 2:24-cv-01297-JDP

**~~[PROPOSED]~~ ORDER GRANTING
DEFENDANT'S MOTION TO OPT OUT
OF POST-SCREENING EARLY ADR**

Plaintiff Jamurl A. Scott ("Plaintiff"), an incarcerated person proceeding *pro se*, brings this civil rights action against Defendant J. Padilla ("Defendant"). *See* ECF Nos. 5, 8. On September 9, 2024, the Court stayed this action for 120 days "to allow the parties to investigate plaintiff's claims, meet and confer, and then participate in a settlement conference." *See* ECF No. 15 at 1. The Court further provided that "if after investigating plaintiff's claims and speaking with plaintiff, and after conferring with defense counsel's supervisor, defense counsel in good faith finds that a settlement conference would be a waste of resources, defense counsel may move to opt out of Early ADR." *Id.* at 2. The Court directed any motion to opt out to be filed within

1 sixty days of its stay order. *Id.* The court further noted that “the court will set a date for the filing
2 of a responsive pleading” if the case does not settle. *Id.* at 2 n.1.

3 Defendant now moves to opt out of Post-Screening Early ADR and requests the Court to set
4 a responsive pleading deadline. Defense counsel has investigated plaintiff’s claims, spoken with
5 plaintiff, and conferred with his supervisor. The Court finds that defense counsel has a good faith
6 belief that a settlement conference would be a waste of resources at this stage of the action.

7 Good cause appearing, the Court **GRANTS** Defendant’s motion to opt out of Post-
8 Screening Early ADR. Further, the Court **ORDERS** Defendant to respond to Plaintiff’s First
9 Amended Complaint (ECF No. 5) on or before December 9, 2024.

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11 IT IS SO ORDERED.

12 Dated: November 12, 2024

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14 JEREMY D. PETERSON
15 UNITED STATES MAGISTRATE JUDGE
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